

REMARKS/ARGUMENTS

In response to the Office Action of November 25, 2006, Applicants have amended the claims, which when considered with the following remarks, is deemed to place the present application in condition for allowance, which action is earnestly solicited.

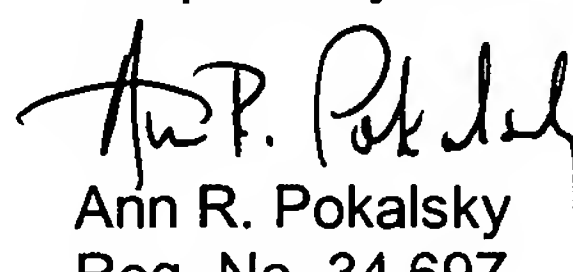
The Examiner has issued a restriction requirement under 35 U.S.C. § 121. On October 24, 2005, Applicants' representative provisionally elected by telephone, the claims of group I, i.e., claims 11-17 for further prosecution in this application. Claim 18, directed to a countercurrent extraction column has therefore been withdrawn. Applicants confirm the election of the claims of group I, claims 11-17, drawn to a product cyclosporine.

Claims 11-17 and 19-48 have been rejected under 35 U.S.C. §102(b) as allegedly anticipated by Wenger (1984) *Helvetica Chimica Acta* 57: 503-515. Wenger et al. has been cited for teaching the synthesis, purification and structure confirmation by analytical methods of cyclosporine. It is the Examiner's position that the structure of the molecule is very well determined as well as the purity of the compound (more than 98.5%). By this amendment, independent claims 11, 14, 21, 30, 38, 43 and 46 have been amended to recite a bulk quantity of cyclosporin in an amount of about 1 kg or more, produced by the methods recited therein, and having a purity level of 99.5% or greater. Also by this amendment, claims 20, 29, 37 and 40 have been canceled. Support for the amendments to claims 11, 14, 21, 30, 38, 43 and 46 may be found throughout the specification, e.g., page 7, lines 6-9. No new matter has been introduced into the claims.

It is respectfully submitted that the presently amended claims are distinguished from Wenger since Wenger teaches only milligram amounts of cyclosporin produced by coupling a synthetic heptapeptide with a tetrapeptide sequence, followed by cyclization. Wenger does not teach a bulk quantity of cyclosporin in the amount of about 1 kg or more having a purity level of 99.5% or more as presently claimed. Nor is a bulk quantity of cyclosporin in the amount of about 1 kg or more having a purity level of 99.5% or more suggested by Wenger, since one skilled in the art would not reasonably believe that production of bulk quantities of cyclosporine could be achieved via chemical synthesis, coupling and cyclization. Accordingly, withdrawal of the rejection of claims 11-17 and 19-48 under 35 U.S.C. §102(b) is respectfully requested.

In view of the foregoing remarks and amendments, it is firmly believed that the present application is in condition for allowance, which action is earnestly solicited.

Respectfully submitted,


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